

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

<b>UNITED STATES OF AMERICA</b>	§	
	§	
<b>VS.</b>	§	<b>Case No. 2:09CR1(2)</b>
	§	
<b>JOSE ANTONIO LEON</b>	§	

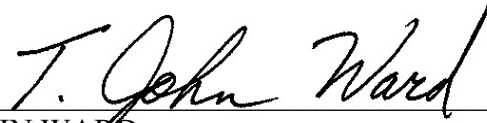
**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND  
FINDING DEFENDANT GUILTY**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Charles Everingham IV regarding Defendant's plea of guilty to Count 5 of a superseding indictment with a violation of 21 U.S.C. § 841(a)(1), Possession with intent to distribute or dispense a controlled substance. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the guilty plea of the Defendant. Objections to the Findings of Fact and Recommendation have been waived by all parties. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed September 9, 2009, are hereby ADOPTED.

It is further ORDERED that, pursuant to Defendant's plea agreement, the Court finds Defendant GUILTY of Count 5 of the superseding indictment in the above-numbered cause.

SIGNED this 1st day of October, 2009.

A handwritten signature in black ink, reading "T. John Ward". The signature is written in a cursive style with a large, stylized "T" and "W".

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T. JOHN WARD

UNITED STATES DISTRICT JUDGE